



General Assembly

Amendment

May Special Session, 2016

LCO No. 6504



Offered by:

REP. KLARIDES, 114th Dist.
REP. CANDELORA, 86th Dist.
REP. HOYDICK, 120th Dist.
REP. MINER, 66th Dist.

To: Senate Bill No. 505

File No.

Cal. No.

"AN ACT CONCERNING A SECOND CHANCE SOCIETY."

1 Strike subdivision (1) of subsection (a) of section 4 in its entirety and
2 substitute the following in lieu thereof:

3 "(a) (1) The court shall automatically transfer from the docket for
4 juvenile matters to the regular criminal docket of the Superior Court
5 the case of any child or young adult charged with the commission of a
6 capital felony under the provisions of section 53a-54b in effect prior to
7 April 25, 2012, a class A felony, or a class B felony, except as provided
8 in [subdivision (3) of this] subsection (b) of this section, or a violation
9 of section 53a-54d, provided such offense was committed [after such
10 child attained the age of fifteen years] by a child when such child was
11 at least fifteen years of age or by a young adult, or a violation of
12 section 53a-71 committed when such person was a young adult, and
13 counsel has been appointed for such child or young adult if such child
14 or young adult is indigent. Such counsel may appear with the child or

15 young adult but shall not be permitted to make any argument or file
16 any motion in opposition to the transfer. The child or young adult shall
17 be arraigned in the regular criminal docket of the Superior Court at the
18 next court date following such transfer. [provided any] Any
19 proceedings held prior to the finalization of such transfer shall be
20 private and shall be conducted in such parts of the courthouse or the
21 building in which the court is located that are separate and apart from
22 the other parts of the court which are then being used for proceedings
23 pertaining to [adults] persons charged with crimes on the regular
24 criminal docket."

25 Strike subdivision (2) of subsection (c) of section 4 in its entirety and
26 substitute the following in lieu thereof:

27 "(2) Notwithstanding any provision of the general statutes, when
28 sentencing a person whose case has been transferred to the regular
29 criminal docket of the Superior Court pursuant to this section and who
30 is convicted of an offense for which there is a mandatory minimum
31 sentence which shall not be suspended, the court may suspend the
32 execution of such mandatory minimum sentence if such person was
33 under eighteen years of age at the time of the offense, except if the
34 offense is a violation of section 53a-71."

35 Strike subdivision (1) of subsection (a) of section 33 in its entirety
36 and substitute the following in lieu thereof:

37 "(1) "Youth" means (A) a [minor who has reached the age of sixteen
38 years but has not reached the age of eighteen years] person who is
39 sixteen years of age or older but under twenty-one years of age at the
40 time of the alleged offense, except if the alleged offense is a violation of
41 section 53a-71, in which case the person is sixteen or seventeen years of
42 age, or (B) a [child] person who has been transferred to the regular
43 criminal docket of the Superior Court pursuant to section 46b-127, as
44 amended by this act; and"